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12/06/2016

Anderson, Diane

Ed Smith

CLERK OF THE SUPREME COURT
STATE OF MONTANA

Case Number: AF 09-0688

From: Bobi Charette <bobicharette@hotmail.com>
Sent: Tuesday, December 6, 2016 9:00 AM
To: Court, SCclerk
Subject: RE: Professional Rules of Conduct - Rule 8.4

Clerk of Montana Supreme Court
PO Box 203003
Helena, MT 59620-3003

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DEC 06 2016

Ed Smith
CLERK OF THE SUPREME COURT
STATE OF MONTANA

Re: Professional Rules of Conduct- Rule 8.4

Dear Members of the Court,

In your order of October 26, 2016 regarding case number AF 09-0688 you have called for public comment on the proposed new Rule 8.4(g) of the Professional Rules of Conduct for Montana Attorneys. I hereby submit my request that you decline the adoption of this rule. This rule would be a threat to Freedom of Speech. A threat to the freedom of speech for one class is a threat to the freedom of speech for all. This rule does not allow for sincerely held religious beliefs. Lawyers with such religious beliefs may, by those beliefs, voluntarily limit their clientele. The adoption of this rule, threatens their very livelihood on the basis of their speech. If they speak their beliefs they may be disciplined.

This rule would also threaten Religious Freedom. Montana lawyers may find themselves under the threat of discipline by associating themselves with religious organizations that hold certain behaviors, connected to a sexual orientation, gender identity or marital status, to be contrary to their belief system.

On the basis of the above reasoning I urge the court not to adopt the proposed change to Rule 8.4 of the Professional Rules of Conduct.

Sincerely,
Bobi Charette
4150 Huntington Hills Rd
Billings MT 59101